Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

Final

AIR QUALITY PERMIT

Issued under 401 KAR 52:030

Permittee Name:	**Superior Battery Manufacturing**
Mailing Address:	**2515 Hwy 910** **Russell Springs, KY 42642**
Source Name:	**Same as above**
Mailing Address:	**Same as above**
Source Location:	**Same as above**
Permit Number:	**F-06-022**
Source A. I. #:	**3893**
Activity #:	**APE20050003**
Review Type:	**Conditional Major**
Source ID #:	**21-207-00019**
Regional Office:	**London** **875 S. Main Street** **London, KY 40741** **(660) 878-0157**
County:	**Russell**
Application Complete Date:	**5/31/2005**
Issuance Date:	**10/04/2006**
Revision Date:	
Expiration Date:	**10/04/2006**

John S. Lyons, Director
Division for Air Quality

Revised 10/19/05

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Definitions: The following definitions apply to all abbreviations and variables used in this permit:

PT – total particulate matter
PM10 – particulate matter equal to or smaller than 10 micrometers
CO – carbon monoxide
NO_x – nitrogen oxides
SO_2 – sulfur dioxide
Pb – lead
VOC – volatile organic compounds

Rev #	Permit type	Activity #	Complete Date	Issuance Date	Summary of Action
----	**Initial Issuance**	**APE200500003**	**5/31/05**	**10/04/2006**	**Conditional Major Permit**

SECTION A – PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Federally-enforceable permits for non-major sources.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

GROUP REQUIREMENTS:

Oxide Mill (SCC 3-04-005-08)

(PbO 1) (OM-1)
Description:
Lead Oxide production is 2000 lb/hr.
The fuel is electric.
Electric lead melting furnace LMF-A, capacity of 12 Ton.
Barton oxide mill system model # JCM 20, unit: BOM-1.
Storage silo OxSilo-1
One stack OM-1
Control equipment: Mill has a cyclone, Baghouse and HEPA after filter.

Construction commenced: 02/97

(PbO 2) (OM-2)
Description:
Lead Oxide production is 2000 lb/hr.
Barton oxide mill system JCM 20, & BOM-2.
The fuel is electric.
Hammer Mill HM-1
Storage silo OxSilo-2
One stack OM-2
Control equipment: Mill has a cyclone, Baghouse and HEPA after filter.

Construction commenced: 02/97

Grid Casting (SCC 3-04-005-06)

(C 1) (CF1)
Description:
Lead melt pots, 8 units (3/1995),
Continuous strap caster with 55 recycle drum and 15 associated grid-casting machines.
Lead power and dust 25 lb/hr (housekeeping vacuum), Spencer Industra Vacuum.
Oil reclamation, Wirtz SKM (1/2005).
Natural gas fuel rated at 17,500 BTU/hr.
One Stack CF1

Control equipment: one baghouse (CBH1).
Construction commenced: 1992

SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Pasting (SCC 3-04-005-07)

(P 01) (PF1)
Description:
A three line continuous process of paste mixing (sulfuric acid and expander are added); followed by flash dry oven, plate parter, stacker-palletizer and humidity curing.
The maximum capacity is limiting by the Grid Casting.
Fuel is natural gas rated at 600,000 BTU/hr.
One Stack-PF1
Control equipment: One baghouse 9S-PBH-1.
Construction commenced: 12/2004

3-Process Operation (SCC 3-04-005-09)

(3-P AB) line A and line B (3PA)
Description:
The plates coming from Pasting-Curing are put in envelope/stacker with recycle drum, two Gelco GSA (DAGA) (07/96). 2,200 lb/hr enveloped, stacked plates.
96 polypropylene battery cases per hour.
Manual Post Building Station(2)(11/92 & 07/96).
Auto Post Burner (2) (11/92 & 07/96).
Repair table.
Continuous strap caster & lead alloy melt pot with recycle drum TBS COS 5 (11/92 for line A and 7/96 for line B).
Unloads stacker and loads COS 5 MOTO MAN ROBOT (09/02).
3 vacuums for plate pickup Spencer Turbine Industra Vacs for line A (7/92,7/96,7/96)
Natural gas heater Bessamaire HCMF-25UHF-631 (8/01) rated at 2,200,000 BTU/hour, for both lines A and B.
Stack-3PA
Control Equipment: Two baghouses 3PABHA and 3PABHB
Construction commenced: 1992

(3-P C) line C (3PC)
Description:
The plates coming from Pasting-Curing are put in envelope/stacker with recycle drum, Gelco GSA (DAGA) (10/01). 2,200 lb/hr enveloped, stacked plates.
96 polypropylene battery cases per hour.
Continuous strap caster & lead alloy melt pot with recycle drum TBS COS 5 (10/01)
Unloads stacker and loads COS 5 MOTO MAN ROBOT (10/01)
2 vacuums for plate pickup Spencer Turbine Industra Vacs (10/01,10/01)
Natural gas heater Bessamaire HCMF-25UHF-631 rated at 2,160,000 BTU/hour, (10/01).

SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Auto Post Burner(10/01).
Manual Post building station (10/01)
Repair table.

Control equipment: One Baghouse 9S-PBH-1.
Construction commenced: 2001

Small Parts Casting (SCC 3-04-005-11)

(SP 1) Diversified Manufacturing (SP1)
Description:
Lead alloy melt pot 34,000 lbs/year of 4.5% antimonial lead.
Parts molds 24,000 lb/year of 4.5% antimonial lead.
Tin solder pot.
Hand pouring 10,000 lb/year of 4.5b % antimonial lead,
Station & molds.
Terminal polish.
Prime end of battery cables.
Natural gas rated at 80,000 BTU/hour.
Stack SP1
Construction commenced: 01/05

APPLICABLE REGULATIONS:

401 KAR 59:010- New process operations. Applies to particulate and visible emissions from all emission activities except for fuel usage and fugitive loss.
401 KAR 60:005- Standards of performance for new stationary sources (40 CFR 60.370 – 374, Subpart KK, Standards of performance for Lead-Acid Battery Manufacturing Plants. NSPS)

1. **Operating Limitations:**
   See Section D.

2. **Emission Limitations:**

   a. Mass Emission Standards:
   Particulate emissions for each emission unit listed above shall not exceed the limit of:

   $$E'_{PM} = 3.59P^{0.62}$$

   Where E'_{PM} is the particulate emission rate (pounds/hour). [401 KAR 59:010 §(3)(2)] and P is the process weight in tons/hour. If the process weight is less than or equal to 0.5 ton/hour, the particulate matter emission limitation shall be 2.34 lbs/hour.

SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Compliance Demonstration: Compliance with the hourly particulate emission limits described above shall be determined by comparing the allowable rate to the actual rate as calculated below:

$$E_{PM_{ij}} = \frac{P_{ij} \cdot EF_{PM_j}}{h_{ij}} \cdot \left(1 - \frac{CE_j}{100}\right)$$

Where i is the month, j is the Lead, E_{PMij} is the actual average hourly particulate emission rate for month i (pounds/hour), P_{ij} is the processing rate for Lead j during month i (tons/month), EF_{PMj} is the overall uncontrolled KYEIS particulate emission factor for Lead j (pounds/ton), h_{ij} is the actual total hours of operation for Lead j during month i (hours/month) and CE_j is the overall control efficiency applied to Lead j (%).

b. Visible emissions shall not equal or exceed 20% Opacity [401 KAR 59:010, Section 3(1)(a)]. [Per 40 CFR 60.372 (a)(7), from any affected facility other than a lead reclamation facility any gases with greater than 0 percent opacity (measured according to Method 9 and rounded to the nearest whole percentage) shall not be discharged.

c. Pursuant to 40 CFR 60.372, no owner or operator shall cause to be discharged into the atmosphere:
   i. From any grid casting facility any gases that contain lead in excess of 0.40 milligram of lead per dry standard cubic meter of exhaust (0.000175 gr/dscf).
   ii. From any paste mixing facility any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf).
   iii. From any three-process operation facility any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf).
   iv. From any lead oxide manufacturing facility any gases that contain in excess of 5.0 milligrams of lead per kilogram of lead feed (0.010 lb/ton).
   v. From any lead –emitting operation any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf).
   vi. When two or more facilities at the same plant (except the lead oxide manufacturing facility) are ducted to a common control device, an equivalent standard for the total exhaust from the commonly controlled facilities shall be determined a follows:

SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

$$S_e = \sum_{a=1}^{n} S_a (Q_{sda} / Q_{sdt})$$

Where:

S_e= is the equivalent standard for the total exhaust stream.

S_a= is the actual standard for each exhaust stream ducted to the control device.

N= is the total number of exhaust streams ducted to the control device.

Q_{sda} = is the dry standard volumetric flow rate of the effluent gas stream from each facility ducted to the control device.

Q_{sdt} = is the total dry standard volumetric flow rate of all effluent gas streams ducted to the control device.

2. Testing Requirements:

Pursuant to Regulation 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1, performance testing using the Reference Methods specified in Regulation 401 KAR 50:015 shall be conducted as required by the Division.

Pursuant to 40 CFR 60.370 – 374 KK Standards for lead:

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

(b) The permittee shall determine compliance with the lead standards in §60.372, except §60.372(a)(4), as follows:

(1) Method 12 shall be used to determine the lead concentration and, if applicable, the volumetric flow rate (Q_{sda}) of the effluent gas. The sampling time and sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf).

(2) When different operations in a three-process operation facility are ducted to separate control devices, the lead emission concentration (C) from the facility shall be determined as follows:

$$C = \left[\sum_{a=1}^{n} (C_a Q_{sda}) \right] / \sum_{a=1}^{n} Q_{sda}$$

where:

C=concentration of lead emissions for the entire facility, mg/dscm (gr/dscf).

C_a=concentration of lead emissions from facility "a", mg/dscm (gr/dscf).

Q_{sda}=volumetric flow rate of effluent gas from facility "a", dscm/hr (dscf/hr).

N=total number of control devices to which separate operations in the facility are ducted.

(3) Method 9 and the procedures in §60.11 shall be used to determine opacity. The opacity numbers shall be rounded off to the nearest whole percentage.

SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

(c) The permittee shall determine compliance with the lead standard in §60.372(a)(4) as follows:

(1) The emission rate (E) from lead oxide manufacturing facility shall be computed for each run using the following equation:

$$E = \left(\sum_{i=1}^{M} C_{Pbi} Q_{sdi} \right) / (PK)$$

where:
E=emission rate of lead, mg/kg (lb/ton) of lead charged.
C_{Pbi}=concentration of lead from emission point "i," mg/dscm (gr/dscf).
Q_{sdi}=volumetric flow rate of effluent gas from emission point "i," dscm/hr (sdcf/hr).
M=number of emission points in the affected facility.
P=lead feed rate to the facility, kg/hr (ton/hr).
K=conversion factor, 1.0 mg/mg (7000 gr/lb).

(2) Method 12 shall be used to determine the lead concentration (C_{Pb}) and the volumetric flow rate (Q_{sd}) of the effluent gas. The sampling time and sample volume for each run shall be at least 60 minutes and 0.85 dscm (30 dscf).

(3) The average lead feed rate (P) shall be determined for each run using the following equation:
$P=N\ W/\Theta$
where:
N=number of lead pigs (ingots) charged.
W=average mass of a pig, kg (ton).
Θ=duration of run, hr.

3. Specific Monitoring Requirements:

a. The permittee shall install, calibrate, maintain and operate according to manufactures specification a monitoring device (differential pressure gauges or Manometers) to determine the pressure drop across the mechanical collector and record once a day during the operation of the baghouses.

b. The permitee shall monitor and record monthly lead processed and monthly hours of operation. The monthly lead processed shall be used to calculate 12-month rolling total of lead processed.

c. The permittee shall monitor and record:

1. The pressure drop across the baghouse at least once per day.
2. Once per day, during all periods of material unloading operation, the permittee shall survey the emission unit stacks for visible emissions and maintain a log of observations.
3. If no visible emissions are observed then no further monitoring is required. If visible emissions are observed, the permittee shall perform a Method 9 reading. The opacity observed shall be recorded in the weekly log. The

SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

reading shall be performed by a representative of the permittee certified in Visible Emissions Evaluations. The permittee shall maintain a list of all individuals that are certified Visible Emissions Evaluators and the date of certification.

4. Annual inspection of emission capture and collection system.
   Refer also to Section F

4. Specific Recordkeeping Requirements:
The permittee is required to keep records of all monitoring required in "Specific Monitoring Requirements" above.

5. Specific Reporting Requirements:
Any exceedance over the opacity or particulate matter emission limitations as stated in this permit shall be reported to the Division as specified in Section F. Refer also to Section D.

6. Specific Control Equipment Operating Conditions:
The control equipment shall be operated and maintained in accordance with the manufacturer's recommendation unless otherwise allowed in this permit. Also see Section E.

SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Formation Operation

(Frm 1) Formation (FT1)

Description:
Formation tables ConBro (06/04),
Sulfuric acid fillers two, (06/04),
Sulfuric acid dumper, battery washer and post burnisher (06/04).
Stack FS1,FS2 and FS3
Control equipment: 3 scrubbers (one is spare) for sulfuric acid mist.
Construction commenced: 1992, moved to another building in 2004.

(SP 2) Battery Cable Manufacturing (P51)

Description:
Cure in Infrared oven.
Dip in plastisol.
Preheat cables and connectors in kitchen oven.
Stack P51
Construction commenced: 01/05

(HSA) 3-Process Operation, line A (HSA)

Description:
LEKO Heat Seal HSM-1FAEX (11/92), heater Hastings, SBD-222 (11/91) S6-MUA, natural gas 2,484,000 BTU/hour for each line.
Control equipment: Baghouse 3PA-BHA
Construction commenced: 1992

(HSB) 3-Process Operation, line B (HSB)

Description:
LEKO Heat Seal HSM-1FAEX (11/92), heater Hastings, SBD-222 (11/91) S6-MUA, natural gas 2,484,000 BTU/hour for each line.
Control equipment: Baghouse 3PA-BHB
Construction commenced: 1992

(HSC) 3-Process Operation, line C (HSC)

Description:
LEKO Heat Seal HSM-1FAEX (11/92), heater Hastings, SBD-222 (11/91) S6-MUA, natural gas 2,484,000 BTU/hour for each line.
Control equipment: Baghouse

SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Construction commenced: 10/2001

APPLICABLE REGULATIONS:

401 KAR 59: 010 New Process Operations.

1. **Operating Limitations:**
   See Section D.

2. **Emission Limitations:**

   a. ***Mass Emission Standards:***
   Particulate emissions for each emission unit listed above shall not exceed the limit of:

   $$E'_{PM} = 3.59P^{0.62}$$

   Where E'_{PM} is the particulate emission rate (pounds/hour). [401 KAR 59:010 §(3)(2)] and P is the process weight in tons/hour. If the process weight is less than or equal to 0.5 ton/hour, the particulate matter emission limitation shall be 2.34 lbs/hour.

   Compliance Demonstration: Compliance with the hourly particulate emission limits described above shall be determined by comparing the allowable rate to the actual rate as calculated below:

   $$E_{PM_{ij}} = \frac{P_{ij} \cdot EF_{PM_j}}{h_{ij}} \cdot \left(1 - \frac{CE_j}{100}\right)$$

   Where i is the month, j is the Lead, E_{PMij} is the actual average hourly particulate emission rate for month i (pounds/hour), P_{ij} is the processing rate for Lead j during month i (tons/month), EF_{PMj} is the overall uncontrolled KYEIS particulate emission factor for Lead j (pounds/ton), h_{ij} is the actual total hours of operation for Lead j during month i (hours/month) and CE_j is the overall control efficiency applied to Lead j (%).

   b. Visible emissions shall not equal or exceed 20% Opacity [401 KAR 59:010, Section 3(1)(a)].

3. **Testing Requirements:**

   Pursuant to Regulations 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1, performance testing using the Reference Methods specified in Regulation 401 KAR 50:015 shall be conducted as required by the Division.

4. **Specific Monitoring Requirements:**

   The permittee shall monitor and maintain records of the following information:
   a. The monthly raw material throughput rate.
   b. The monthly hours of operation (hours operated per month).

SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

c. The pressure drop across each baghouse, each HEPA after filter and formation scrubbers at least once per day.
d. Once per day, during all periods of operation, the permittee shall survey the emission unit for visible emissions and maintain a log of observations.
e. If no visible emissions are observed then no further monitoring is required. If visible emissions are observed, the permittee shall perform a Method 9. The opacity observed shall be recorded in the weekly log. The reading shall be performed by a representative of the permittee certified in Visible Emissions Evaluations. The permittee shall maintain a list of all individuals that are certified Visible Emissions Evaluators and the date of certification.
f. The pH of the mist eliminator wash water at least once per day.
g. Annual inspection of emission capture and collection system.
Refer also to Section F.

5. Specific Recordkeeping Requirements:
See the Specific Monitoring Requirements above.

6. Specific Reporting Requirements: None

7. Specific Control Equipment Operating Conditions: None

SECTION B – AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

(8) Cooling Tower

APPLICABLE REGULATIONS: None

1. **Operating Limitations:** No chromium-based water treatment chemicals shall be used in the industrial process cooling towers.

2. **Emission Limitations:** NA

3. **Testing Requirements:** NA

4. **Specific Monitoring Requirements:** NA

5. **Specific Record Keeping Requirements:** Records shall be maintained of the chemicals (MSDS sheets) for any water treatment chemical used in the cooling towers.

6. **Specific Reporting Requirements:** Any water treatment chemical that is used in the cooling tower and is later found to have chromium should be reported to the Division within 3 days.

7. **Specific Control Equipment Conditions:** NA

SECTION C – INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

	Description	Generally Applicable Regulation
1.	Product Samplers	N/A
2.	Air Compressors	N/A
3.	Radiant Heaters in Oxide Mill, Natural Gas 300,000 BTU/hr capacity.	N/A
4.	Equipment Maintenance	N/A
5.	Mold Coat Mixing at Casting	401 KAR 61:020
6.	Radiant Heaters, 4 at 90,000 BTU/hr and one at 125,000 BTU/hr	N/A
7.	Five Plate Curing Chambers, 155,000 lbs/batch, electric	N/A
8.	Radiant Heater in Pasting, 9 at 100,000 BTU/hr and one at 80,000 BTU/hr	N/A
9.	Battery Cell Continuity Tester	N/A
10.	Space Heater, Gas Fired, less than 1,000,000 BTU/hr	N/A
11.	ConBro Acid Filter 1 and 2	401 KAR59:010
12.	ConBro Acid Dumper	401 KAR59:010
13.	ConBro Battery Washer	401 KAR59:010
14.	Novadalus Post Burnisher	401 KAR59:010
15.	High Rate Discharge Tester	401 KAR59:010
16.	Post Greasing	401 KAR59:010
17.	Acid Mixing	401 KAR59:010

SECTION C – INSIGNIFICANT ACTIVITIES

18.	Waste Water Treatment Cooling Tower	N/A
19.	Make Up Air Heater, direct fired MUA Formation Room, two at 1,728,000 BTU/hr	401 KAR59:010
20.	MUA to finishing Areas four at 2,160,000 BTU/hr	401 KAR59:010
21.	Acid Storage Tanks, 93% Sulfuric Acid and dilute acid tanks at 1.4 specific gravity, 1.1 specific gravity and less.	401 KAR59:010

SECTION D – SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.

Lead, PM_{10}, Particulate total (including sulfuric acid mist, sulfur oxide) emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.

1. **Operating Limitations:**
   The Lead processed shall not exceed 30,502,000 lbs. per year.

2. **Emission Limitations:**

   To preclude 401 KAR 52:020 applicability, total particulate emissions from the entire source shall not exceed 90 tons/year.

   Compliance Demonstration: Compliance with the limits described above shall be determined by comparing the allowable rate to the actual rate as calculated below:

$$E_{PM} = \sum_{i=1}^{12}\sum_{j=1}^{n} \frac{P_{ij} \cdot EF_{PM_j}}{2000} \cdot \left(1 - \frac{CE_j}{100}\right) < 90\ tons/year$$

   Where E_{PM} is the actual 12-month rolling total particulate emissions (tons/year).

   HAP Emission Standards: In order to be exempt from 401 KAR 63:002 requirements and to maintain Conditional Major status:

   a. Individual HAP emissions from this source shall be less than 9.0 tons/year based on a 12-month rolling total.
   b. Plant-wide total HAP emissions from this source shall be less than 22.5 tons/year based on a 12-month rolling total.

      Compliance demonstration: The 12-month rolling total emission rate for each, individual HAP shall be calculated with the following equation:

$$\sum_{i=1}^{12}\sum_{j=1}^{n} \frac{\left(P_{ij} \cdot \rho_j \cdot \%IHAP_j\right)}{2000} \leq 9.0\ TPY$$

      Where n is the individual Lead alloy ingot or/and lead oxide, P_{ij} is the monthly lead alloy ingot or/ and lead oxide usage rate (Tons/month), ρ_j is the lead alloy or/and lead oxide density (lb/Ton) and $\%IHAP_j$ is

SECTION D – SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

lead alloy or/and lead oxide individual HAP content as a weight percent.

Annual Plant wide total HAPS:

$$\sum_{i=1}^{12} HAPS_{ij} \leq 22.5\ TPY$$

Where i is the month, j is the individual HAP and $HAPS_{ij}$ is the total tons per month of each individual HAP.

SECTION E – SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F – MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)(1) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:

    a. Date, place (as defined in this permit), and time of sampling or measurements;
    b. Analyses performance dates;
    c. Company or entity that performed analyses;
    d. Analytical techniques or methods used;
    e. Analyses results; and
    f. Operating conditions during time of sampling or measurement.

2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality[401 KAR 52:030 Section 3(1)(f)1a and Section 1a (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

3. In accordance with the requirements of 401 KAR 52:030 Section 3(1)f the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
    a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
    b. To access and copy any records required by the permit;
    c. Sample or monitor, at reasonable times, substance or parameters to assure compliance with the permit or any applicable requirements (reasonable times are defined as during all hours of operation, during normal office hours, or during and emergency).

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no

SECTION F – MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

monitoring was performed during the previous six months because the emission unit was not in operation.

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030 Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.

7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
   a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
   b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.

8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within *30 days*. Deviations from permit requirements, including those previously reported under F.7 above, shall *be included in the semiannual report required by F.6* [Section 1b V(3) and (4) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

9. Pursuant to 401KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
   a. Identification of each term or condition;
   b. Compliance status of each term or condition of the permit;
   c. Whether compliance was continuous or intermittent;
   d. The method used for determining the compliance status for the source, currently and over the reporting period.
   e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that

SECTION F – MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

f. The certification shall be postmarked by January 30th of each year. **Annual compliance certifications should be mailed to the following addresses:**

Division for Air Quality London Regional Office 875 S. Main Street London, KY 40741	Division for Air Quality Central Files 803 Schenkel Lane Frankfort, KY 40601

10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission survey is mailed to the permittee. If a KYEIS emission report is not mailed to the permittee, comply with all other emission reporting requirements in this permit.

11. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

12. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
    g. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
        i. The size and location of both the original and replacement units; and
        ii. Any resulting change in emissions;
    h. The PTE of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
    i. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
    j. The replacement unit shall comply with all applicable requirements; and
    k. The source shall notify Regional office of all shutdowns and start-ups.
    l. Within six (6) months after installing the replacement unit, the owner or operator shall:
        i. Re-install the original unit and remove or dismantle the replacement unit; or
        ii. Submit an application to permit the replacement unit as a permanent change.

SECTION G – GENERAL CONDITIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030 Section 3(1)(b) and is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a (2) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a (5) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030 Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
   a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030 Section 12;
   b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
   c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

4. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

5. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit[Sections 1a (6) and (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

SECTION G – GENERAL CONDITIONS

6. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030 Section 7(1)].

7. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a (11) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

8. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a (3) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

9. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a (12)(b) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

10. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6) [Section 1a (9) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

11. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030 Section 11(3)].

12. This permit does not convey property rights or exclusive privileges [Section 1a (8) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

13. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.

14. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.

SECTION G – GENERAL CONDITIONS

15. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.

16. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

17. Permit Shield – A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
    a. Applicable requirements that are included and specifically identified in this permit; and
    b. Non-applicable requirements expressly identified in this permit.

18. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030 Section 3(1)(c)].

19. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030 Section 8(2)].

(b) Permit Expiration and Reapplication Requirements

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030 Section 12].

(c) Permit Revisions

1. Minor permit revision procedures specified in 401 KAR 52:030 Section 14 (3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:030 Section 14 (2).

2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility

SECTION G – GENERAL CONDITIONS

coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements
No construction authorized by this permit

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:030 Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
   a. An emergency occurred and the permittee can identify the cause of the emergency;
   b. The permitted facility was at the time being properly operated;
   c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
   d. The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.

2. Notification of the Division does not relieve the source of any other local, state or federal notification requirements.

3. Emergency conditions listed in General Provision G(f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030 Section 23(3)].

4. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof[401 KAR 52:030 Section 23(2)].

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk

SECTION G – GENERAL CONDITIONS

Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center
P.O. Box 1515
Lanham-Seabrook, MD 20703-1515.

2. If requested, submit additional relevant information to the Division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
   a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
   b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
   c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
   d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
   e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
   f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

SECTION H – ALTERNATE OPERATING SCENARIOS

The alternate operating scenarios set forth below have been approved by the Division based on information supplied with the application and during the application review process. The terms and conditions of each alternate operating scenario have been developed to ensure compliance with the applicable regulations. The permittee, when making a change from one operating scenario to another, shall record contemporaneously in a log at the permitted facility a record of the scenario under which the facility is operating. The permit shield, as provided in Section G, shall extend to each alternate operating scenario set forth in this Section. All conditions not specified under an alternate operating scenario shall remain unchanged from their permit values or requirements.